

REMARKS

1. Claims 95-144 are pending in the application. Applicants thank the Examiner for finding potentially allowable subject matter in Claim 131 if the rejection under 35 U.S.C. § 112, second paragraph is overcome, and if the claim is rewritten in independent format to include all the limitations of the base claim and all intervening claims. New Claim 142 has been written in the manner suggested by the Examiner.

2. Claims 131 and 140 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter Applicants regard as their invention. Claims 131 and 140 have been amended in a non-narrowing manner to correct typographical errors that resulted in incorrect dependencies for both claims. Claims 102 and 105 have also been amended to correct dependencies of the claims.

3. Claims 95-139 and 141 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,883,806 to Meador et al. ("Meador"). The rejection states that all the limitations of these claims are found in Meador, and that the claims of the application are therefore anticipated. Applicants have amended claims in the application to overcome the Meador reference.

Claim 121 has been amended to recite at least one receptacle having a single compartment. Support for the amendment is found at least in Figs. 1 and 2, and in the specification, p. 10, lines 1-3.

Claims 95, 100, 106, 112, and 121 have also been amended to recite that the information storage device secured to or in the receptacle is able to exchange information with a computer operating said dispensing machine. Support for these amendments is found at least in the specification at p. 14, lines 10-19.

These amendments overcome the Meador reference because Meador does not teach or describe a receptacle that also comprises an information storage device for storing information relative to contents of said receptacle and for exchanging information with a computer operating said dispensing machine.

The amendments overcome the rejections because Meador does not teach or describe an information storage device as claimed. In Meador, the information storage device is not capable of communicating with or exchanging information with the dispensing machine. See Meador, col. 9, lines 11-25 and col. 10, lines 11-17.

Meador teaches that containers are loaded by a loading apparatus (not shown), in which the loading apparatus computer provides information about items loaded into the container to the system control computer and also will “relay the information to a container memory 154 integral with the container.” Meador, col. 9, lines 23-25. The passage in col. 10 of Meador reinforces the concept that information is exchanged only between the loading apparatus computer and the container, and between the loading apparatus computer and the dispenser computer, but not between the dispenser computer and the container. The passage states

the loading apparatus computer would be able to interrogate the container memory to learn of the contents of each compartment 112. The computer 106 can transfer this information into its own resident memory and be available for polling by the primary computer 174.

Meador, col. 10, lines 13-17. The container thus is able to communicate with the loading station, but not with the dispenser, or with a computer operating the dispenser.

Accordingly, Meador does not teach or suggest at least two limitations of amended Claims 95, 100, 106, 112 and 121. Dependent Claims 96-99, 101-105, 107-111, 113-120, and 122-141 are also allowable at least because independent Claims 95, 100, 106, 112, and 121 are allowable.

4. In addition, Claims 99, 109, 120, and 126 have been amended to recite the use of bar codes and radio-frequency devices to exchange information between the dispensing machine and the receptacles. Support for these limitations is found at least in the claims as filed, and in the specification, at p. 4, lines 5-15, at p. 10, line 16, to p. 11, line 15, and at p. 16, lines 7-8. New Claims 143-144 also find support in these passages.

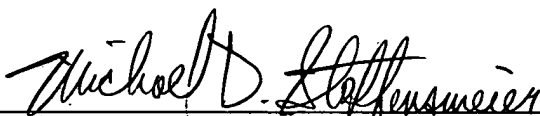
5. In addition to the independent claims, a number of the limitations recited in the dependent claims of the application are also not taught or described in Meador. For

instance, Claim 110 recites that a computer on the dispensing structure includes a communication port for communicating with said chip. As discussed above for Claim 95, in Meador, the computer of the dispensing machine does not communicate directly with the container memory 154. Thus, Meador does not teach or suggest the Claim 110 limitation that the “dispensing structure includes a communication port for communicating with said chip.”

A computer that cannot communicate with a chip cannot capture data from the chip and send instructions to the chip. Therefore, by the same argument, Meador also does not teach the Claim 111 limitation that “the dispensing structure is connected to a computer that captures data from said chip and which send instructions to said chip.” In the same manner, Meador does not teach the Claim 120 limitation that “each of said receptacles is adapted to download its contents information into a memory device of said automated dispensing machine.”

Applicants submit that the amendments and arguments above overcome the rejections and respectfully request the Examiner grant allowance of this application. The Examiner is invited to contact the undersigned attorney for the Applicants via telephone if such communication would expedite this application or would be helpful to the Examiner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael D. Steffensmeier", is written over a horizontal line.

Michael D. Steffensmeier, Reg. No. 37,735
Cardinal Health Inc.
7000 Cardinal Place
Dublin, OH 43017
Phone: (614) 757-7861
Fax: (614) 757-2243